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COMMITTEE ON ECONOMIC, SOCIAL
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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the initial report of Mongolia concerning the rights referred to in articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/1994/104/Add.21)

I. GENERAL INFORMATION

A. Land and people

1. Please provide updated information on the main ethnic and demographic characteristics of the country and its population, as well as on the main economic, social and cultural indicators, such as GNP, per capita income, inflation, the status and size of foreign debt, unemployment, the literacy, birth and death rates, the religious/ethnic characteristics of society, etc.

2. Please indicate whether the Covenant may be invoked before Mongolian courts. If so, please cite case law in this regard.

B. Progress achieved with regard to the situation described in previous periodic reports of the State Party

3. Please indicate any progress made by the State Party in overcoming the difficulties impeding the implementation of the Covenant and in implementing the recommendations highlighted in the Committee's concluding observations on Mongolia's second periodic report.

C. Information and publicity

4. What efforts have been made towards acquainting more fully the general public, the competent authorities, judges, law makers and other professionals about the rights contained in the Covenant?

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 2.2. Non-discrimination

5. There is a lack of comprehensive legislation to combat discrimination based on race, colour, descent, national or ethnic origin. What steps have been envisaged to combat discrimination?

Article 3. Equality between men and women

6. In view of the remark that women are almost completely absent from the highest leadership levels in both the public and private sectors, can you cite examples where this conclusion can be proved to be incorrect?

III. ISSUES RELATING TO SPECIFIC RIGHTS RECOGNIZED UNDER THE COVENANT (arts. 6-15)

Article 6. Right to work

7. Mongolia is party to a number of ILO Conventions. Please expand the information contained in paragraphs 20 and 21 of the report on the legislation and court decisions which protect employees against discrimination, arbitrary dismissal, etc.

8. Mongolia has a generally progressive basic law concerning the right to work. Please provide information on what measures have been taken to realize the rights of workers with disabilities to gain their living by work, as provided in article 6 of the Covenant, with dignity. Please indicate in what way technical and vocational guidance and training programmes reflect their needs.

9. Before the regional crisis, both legal and illegal labour migration increased steadily, to The Republic of Korea in particular. There is indication that some workers are returning following the cancellation of their contracts, thus lowering remittals and increasing unemployment. What are the concrete measures undertaken by the Government in this respect? What is the situation of internal labour migration from rural to urban areas?

10. In paragraph 29 of the report the indicator shows that the number of working children is growing every year. Please provide information on the situation of the working children, disaggregated by age, sex and ethnicity.

11. Please indicate in detail the situation of unemployment, and please provide information on "The National Programme on Curtailing Unemployment" since it was begun in October 1995. Please describe the trend in the generation of employment after 1996 in the light of growing privatization, particularly in terms of sex, education and age.

12. What progress has been made in the development of training for out-of-work youth? What are the dimensions of the problem? Please provide details of their sex, ethnicity, education, place of residence, etc.

Article 7. Right to just and favourable conditions of work

13. Please cite cases, if any, in which the courts of Mongolia have taken up issues relating to the working conditions of workers, in both the private and public sectors.

14. Please provide details about accidents in the workplace. What measures have been taken to protect workers and to guarantee them the basic minimum conditions of occupational health and safety?

Article 8. Trade union rights

15. Please provide information on the nature and development of labour disputes in Mongolia and existing practices for resolving them. Do the existing practices conform to the provision of the Covenant, as well as to ILO Conventions and recommendations?

16. Please supply complete data on the number and structure of trade unions existing in the country, and on their respective membership.

17. Please provide information on the number of legal and illegal strikes during the past five years. Have there been any cases of trade union leaders being subject to prosecution or other measures?

18. Please cite examples of trade union registration formalities. What "well-grounded reasons" were provided in refusing registration to certain trade unions, if any?

Article 9. Right to social security

19. Paragraph 47 of the report states that the State Party has so far not acceded to any of the ILO conventions relating to social insurance. Please indicate how the Government intends to administer its social welfare and insurance policy in the future.

20. Please provide updated and detailed statistical information on the "National Programme on Poverty Alleviation". What achievements have been made so far?

21. Please describe the social security policy in the country, taking into account the specific situation of vulnerable groups in the population, particularly older persons, persons with disabilities and widows.

22. Please indicate the size of the social insurance budget giving the size of contributions received from beneficiaries and the subsidy from the State budget for the last five years.

Article 10. Protection of the family, and of mothers and children

23. UNICEF has observed that children are caught in the social problems resulting from the transition to a market economy. Please give examples of the measures taken by the Government to protect these children. Please provide statistical data where relevant and possible.

24. Please provide detailed information concerning the rights of the family, women and children referred to in paragraph 65 of the report. Please cite case law, if any.

25. What is the legal status of children born out of wedlock?

26. Please specify the scale of domestic violence and sexual harassment against women and girls within and outside the family. What are the measures taken to combat them? Is there any comprehensive legislation in this regard? Please give details.

27. Please indicate whether there are any groups of women in society who do not enjoy maternity protection and family allowances at all or to a significantly lesser degree than the majority. If so, what measures are envisaged to remedy these problems?

28. What is the social and legal age of marriage? Who is responsible for the care of the elderly and of orphaned children?

Article 11. Right to an adequate standard of living

29. What are the "minimum standards of living" for urban and rural areas (para. 58)? How is this calculated to meet the standards established in the Covenant? How are human qualities such as knowledge, culture, ability, mentality, etc. weighted?

30. Please provide statistical information on the living conditions of the family considering the decline of gross agricultural and industrial production, the decline of the export of meat products and the increasing rate of unemployment. What measures have been taken to alleviate the difficulties of the family?

31. What steps have been taken to reduce the housing shortage in Mongolia? Please discuss the extent to which older persons have access to economic social benefits as well as to adequate housing, food, clothing and health care.

32. Please provide further details with respect to the information provided in paragraphs 80, 81 and 82 of the report on the factors affecting sustainable food supply. Has the situation improved since 1994? What are the "pertinent measures" taken to improve food supply since 1996? What progress has been achieved in substituting the importation of rice and sugar?

33. Please provide details of housing allocation to Mongolians by urban-rural and employment categories. Please provide information about the present situation of housing construction and distribution in Mongolia.

Article 12. Right to physical and mental health

34. The section of the report dealing with article 12 of the Covenant does not specify the concrete achievements made in the area of health care. Are there any special health care programmes in the areas of paediatrics, gynaecology, psychiatry, geriatrics and cardiology?

35. Please describe in detail the specific measures the Government has taken to address the problems of drug addiction and prostitution. Other serious health problems reported are low birth weight, tuberculosis, alcoholism, skin and sexually transmitted diseases. What is being done to reduce the incidence of these health problems?

36. Please provide updated statistical information on the percentage of the health budget and GDP allocated to health care.

Articles 13 and 14. Right to education

37. Please provide statistical data as to whether Mongolia is complying with its obligation regarding the provision of free and compulsory primary education for all. What is the school dropout rate in the rural areas and how is this problem being addressed?

38. What is the illiteracy rate in Mongolia and what steps are being taken in this regard by the Government?

Article 15. Right to participate in cultural life

39. How many cultural entities are there in Mongolia? How many languages are spoken? What are the festivals that are celebrated in Mongolia? Are cultural entities defined by provincial boundaries? Are books, newspapers and periodicals published in the country in the languages of national minorities?

40. Please provide detailed information on the steps taken to promote the dissemination of scientific progress and its applications.